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U.S. District Court E.D.N.Y.

10/20/2022

BROOKLYN OFFICE

**UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION**

**IN RE: EXACTECH POLYETHYLENE  
ORTHOPEDIC PRODUCTS LIABILITY LITIGATION**

MDL No. 3044

(SEE ATTACHED SCHEDULE)

**CONDITIONAL TRANSFER ORDER (CTO -1)**

On October 7, 2022, the Panel transferred 20 civil action(s) to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* \_\_\_F.Supp.3d\_\_\_ (J.P.M.L. 2022). Since that time, no additional action(s) have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Nicholas G Garaufis.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Garaufis.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of October 7, 2022, and, with the consent of that court, assigned to the Honorable Nicholas G Garaufis.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

A TRUE COPY	
ATTEST	
DATE	October 20, 2022
BRENN A B. MAHONEY	
CLERK	
BY	Tiffeny Lee-Harris
DEPUTY CLERK	

FOR THE PANEL:



John W. Nichols  
Clerk of the Panel

**IN RE: EXACTECH POLYETHYLENE  
ORTHOPEDIC PRODUCTS LIABILITY LITIGATION**

MDL No. 3044

**SCHEDULE CTO-1 – TAG-ALONG ACTIONS**

<b><u>DIST</u></b>	<b><u>DIV.</u></b>	<b><u>C.A.NO.</u></b>	<b><u>CASE CAPTION</u></b>
<b>ARKANSAS EASTERN</b>			
ARE	4	22-00772	Flowers et al v. Exactech Inc
ARE	4	22-00890	Clark v. Exactech Inc
<b>CALIFORNIA CENTRAL</b>			
CAC	2	22-04106	Richard Reilly v. Exactech, Inc. et al
<b>COLORADO</b>			
CO	1	22-01511	Carolina v. Exactech, Inc. et al
<b>CONNECTICUT</b>			
CT	3	22-01072	Gourd v. Exactech, Inc. et al
<b>INDIANA SOUTHERN</b>			
INS	1	22-01237	WILDER v. EXACTECH U.S., INC. et al
<b>KENTUCKY WESTERN</b>			
KYW	3	22-00423	Palmer v. Exactech, Inc. et al
<b>LOUISIANA EASTERN</b>			
LAE	2	22-03168	Cheramie v. Exactech, Inc. et al
LAE	2	22-03519	Briscoe v. Exactech, Inc.
LAE	2	22-03524	Romero v. Exactech, Inc.
<b>LOUISIANA MIDDLE</b>			
LAM	3	22-00568	Hoyt et al v. Exactech, Inc. et al
<b>MARYLAND</b>			
MD	1	22-01846	Romano et al v. Exactech, Inc. et al
<b>NEW JERSEY</b>			
NJ	2	22-05240	OBRIEN v. EXACTECH, INC. et al

NJ	3	22-04399	ZEEVALK et al v. EXACTECH, INC. et al
NJ	3	22-04559	DECORTE et al v. EXACTECH, INC. et al

## NEW YORK NORTHERN

NYN	3	22-00673	Gehm v. Exactech, Inc. et al
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## NEW YORK SOUTHERN

NYS	1	22-05863	Perez v. Exactech, Inc. et al
NYS	1	22-05864	Matchett et al v. Exactech, Inc. et al
NYS	1	22-07778	Slanovec v. Exactech, Inc. et al
NYS	7	22-08154	Guglielmo et al v. Exactech US, Inc.

## OHIO NORTHERN

OHN	1	22-01487	McGuire et al v. Exactech, Inc. et al
OHN	5	22-01320	Bellian et al v. Exactech, Inc. et al

## PENNSYLVANIA EASTERN

PAE	2	22-02339	BRICKMAN v. EXACTECH, INC.
PAE	2	22-02895	CAMP et al v. EXACTECH, INC. et al
PAE	2	22-03772	BROWN et al v. EXACTECH, INC. et al

## TEXAS EASTERN

TXE	1	22-00377	Smith v. Exactech, Inc. et al
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## TEXAS NORTHERN

TXN	3	22-01554	Kenney et al v. Exactech Inc et al
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## TEXAS SOUTHERN

TXS	1	22-00135	Salazar v. Exactech, Inc. et al
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## VIRGINIA EASTERN

VAE	3	22-00626	Uhle v. Exactech, Inc. et al
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